IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 1858 of 2000

RAMANLAL RAJMAL

Versus

STATE OF GUJARAT

Appearance:
MR SK JHAVERI for Petitioner
MS HARSHA DEVANI, ld.APP for respondent no.1-State of Gujarat.
MR MOHD. RAFIQ, ld.Addl.Advocate General for Govt.of Rajasthan, for respondents nos.2, 3 and 4.

CORAM : MR.JUSTICE M.R.CALLA
and
MR.JUSTICE R.R.TRIPATHI

Date of Order: 19/10/2000

ORAL ORDER

(Per : MR.JUSTICE M.R.CALLA)

This matter has been assigned to this Bench as per the order of the Honourable Chief Justice dt. 28th September 2000 with a direction to list this matter on 19th October 2000, i.e. today after the exception was made on 13.9.2000 by a Bench consisting of Hon'ble M.H.Kadri and A.L.Dave, JJ.

In the first session when the case was called out Mr.K.S.Jhaveri appeared for Mr.S.K.Jhaveri for the petitioner and submitted that the matter may be adjourned on the ground that Mr.S.K.Jhaveri is busy in some other Court and is not likely to be free for the whole day. The request was declined. He then submitted that the matter may be taken up at 2.45 p.m. When the matter has been taken up at 2.45 p.m. now. Mr.S.K.Jhaveri has submitted that this Bench should not take up this matter because the issue had been raised by the Rajasthan Bar and one of the members of this Bench (M.R.Calla, J) hails from Rajasthan. This Court is of the view that this is no ground for not taking up this matter by this Bench. The request of Mr.S.K.Jhaveri is hereby rejected.

The Court calls upon Mr.S.K.Jhaveri to proceed with the arguments. At this stage, Mr.Jhaveri has submitted that his client has no faith in this Bench and therefore, he chooses not to argue and seeks to retire. Mr.Jhaveri is a veteran Member of the Bar with long standing. The statement as has been made by Mr.Jhaveri is per se contemptuous and exhibits scant regard for the Court. We feel that we need not to be touchy or sensitive. Our training at the Bar and experience at the Bench blended with our patience holds us back from initiating any contempt proceedings for the statement as above and we proceed to hear this case listed before us.

19th Oct.2000 (M.R.Calla, J.)

(R.R.Tripathi,J.)